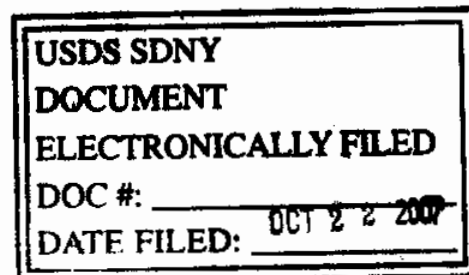


*CroTTY, J*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



----- x

SHIRA MCKINLAY, on behalf of herself :  
and all others similarly situated, :

07 Civ. 8765 (PAC)

Plaintiff, :

*Submitted Electronically*

- against - :

**STIPULATION**

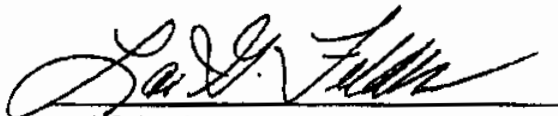
THE BANK OF NEW YORK and THE :  
BANK OF NEW YORK MELLON :  
CORPORATION, :

Defendants. :

----- x

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for plaintiff Shira McKinlay and defendants The Bank of New York and The Bank of New York Mellon Corporation that the time for defendants to move, answer, or otherwise respond to the Class Action Complaint in the above-captioned matter is extended to and including November 19, 2007. No defense is waived by the negotiation and entry into this stipulation.

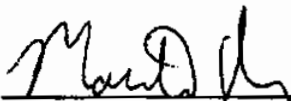
Dated: New York, New York  
October 17, 2007



Lori G. Feldman  
Neil R. Fraser  
William B. Scoville, Jr.  
MILBERG WEISS LLP  
One Pennsylvania Plaza  
New York, New York 10119  
Tel. (212) 594-5300


Lynn Lincoln Sarko  
Derek Loeser  
Gary A. Gotto  
KELLER ROHRBACK L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, Washington 98101-3052  
Tel. (206) 623-1200

*Attorneys for plaintiff Shira McKinlay*



Hector Gonzalez  
Matthew D. Ingber  
Michael O. Ware  
MAYER BROWN LLP  
1675 Broadway  
New York, New York 10019  
(212) 506-2500

*Attorneys for defendants The Bank of New  
York and The Bank of New York Mellon  
Corporation*

SO ORDERED: 10/22/07.  
  
HON. PAUL A. CROTTY  
UNITED STATES DISTRICT JUDGE